(3)

CHIST

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

MISCELLANEOUS APPEAL NO. 192/2004 Division Bench

APPELLANT
CLAIMANT

(1) Jamna Bai Widow of Sri Bhagchand
Aged about- 35 years,
(2) Mansingh S/o Sri Bhagchand
Aged about- 9 years,
(3) Dindayal S/o Sri Bhagchand
Aged about- 7 Years
(4) Rupesh S/o Sri Bhagchand
Aged about – 3 years.
(5) Kartik Ram S/o sri Laddu Ram,
Aged about --60 years

Applicant No.2,3,& 4 are represented hereby legal guardian motherJamna bai, All are R/o –Nayak Bandh, Post – Abhanpur, Tahsil- Abhanpur, Distt- Raipur.

P. R. No. 24/04
Presented by Shri S.C. Verma
dated 01.01.04

VERSUS

RESPONDENT
NON-APPLICANT

(1) V.Appa Rao S/o Sri V.Apanna Rao, Through: Calcutta Andhra Road, Lions, Raipur Road, Parsada Bilaspur, Tahsil & Distt – . Bilaspur(C.G.)
(2) S.Trimurthi Lal SatyaNarayan S/o Grisiya, Through : Calcutta,., Andhra Road, Lions –Raipur Road,Parsada Bilaspur
(3) National Insurance Company Ltd, Through: Divisional Manager, G.E.Road, Raipur
(4) Net Ram S/o Sri Dou lal Agre, R/o Nayak – bandha Post – & Thana – Abhanpur. Distt- Raipur.
(5) M/s. Goutam Hardware Proprietor, Awinath, S/o Sri Ratan lal Duggad, R/o Abhanpur, Distt- Raipur
(6) The Oriental Insurance Company Ltd.,Through: Divisional Manager, Jail Road, Raipur (C.G.)

Miscellaneous Appeal under/section 173 Motor Vehicle Act 1988

(24)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A...192/04 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	DIVISION BENCH: **HON'BLE SHRI A.K. PATNAIK, CJ & HON'BLE SHRI FAKHRUDDIN, J.** **16/03/2005**: - Heard Mr. S.C. Verma learned counsel for the appellant and Mr. N.K. Agrawal, Sr. Advocate, with Mr. Qamrul Aziz learned counsel for respondent No.3/National Insurance Company Limited. This is an appeal filed by the claimants/appellants against the judgment and award dated 01/08/2003 passed by the Sixth Additional Motor Accident Claims Tribunal-cum-District Judge, Raipur in Claim Case No.115 of 2002. During the pendency of the appeal, the parties have agreed on 18/08/2004 to compromise the matter and as per the said compromise respondent No.3/National Insurance Company Limited is to pay a sum of Rs.1,00,000/- (Rupees one lakh only) in addition to the amount of Rs.1,60,000/- (Rupees one lakh sixty thousand only) to the claimants / appellants. An application (I.A.No.698 of 2005) under Order 23 Rule 3 has also been filed by claimant/appellant No.1 stating therein that the aforesaid compromise has been done in the interest of all the claimants / appellants including the minor claimants/appellants No.2 to 4. The application is also supported by an affidavit. Mr. S.C. Verma, learned counsel appearing for the claimants / appellants and Mr. N.K. Agrawal, Sr. Advocate appearing for respondent No.3/National Insurance Company Limited admit the said compromise.	

(पीछे देखिये)

XI-HC-22

(25)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक M.A.192/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश क्रमानुसार सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Miscellaneous appeal 192 of 2004 accordingly stands disposed of in terms of the aforesaid compromise. Let a sum of Rs.1,00,000/- (Rupees one lakh only) be paid by respondent No.3/National Insurance Company Limited to the claimants / appellants within one month from today. The impugned judgment and award of the Tribunal stands modified accordingly. **Sd/-** **Chief Justice** **Sd/-** **Fakhruddin** **Judge**	

BM

(पीछे देखिये)

18.3.05